

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leuthardt, E. C. et al.

Serial No.: 10/735,474

Filed: December 12, 2003

Patent No. 7,120,486

Issued: October 10, 2006

For: BRAIN COMPUTER INTERFACE

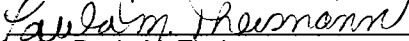
Case No.: 60005161-0061

Group Art Unit: 3736

Examiner: Mallari, P.

Electronic Submission:

Date of Deposit: November 7, 2007

  
Paula M. Theismann**PETITION UNDER 37 CFR. 1.323**

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attn: Cecelia Newman - Decisions &amp; Certificates of Correction Branch

Dear Ms. Newman:

In response to Decision dated December 30, 2006 (copy attached),  
Applicants respectfully submit the following:

A. Copy of the U.S. Assignment dated May 23, 2006 recorded at Reel/Frame No. 017671/0486 evidencing assignee's names Washington University and Health Research, Inc. This Assignment was a request for correction of initially recorded assignment of June 28, 2004 at Reel/Frame 014790/0270 (copy attached). Both dates precede issue date of patent, i.e., October 10, 2006.

B. Certificate of Correction PTO/SB/44 and;

C. Credit card payment fee of \$130.00 to cover the processing fee set forth in 37 CFR 1.17(i).

These items are submitted to correct the following error on the face page of the patent:

"(73) Assignee: Washington University, St. Louis, MO (US)" should be

--(73) Assignee: Washington University, St. Louis, MO (US) and Health Research, Inc., Rensselaer, NY (US)--.

Box 5 of the Issue Fee Transmittal submitted on July 29, 2005, inadvertently omitted the second assignee's name, i.e., Health Research, Inc., Rensselaer, NY.

Applicant's submission of December 6, 2006 included a credit card payment of \$100 to cover the fee set forth in 37 CFR 1.20(a).

Please charge Account No. 19-3140 for any fee deficiency for this Petition and Certificate of Correction.

Respectfully submitted,  
SONNENSCHN NATH & ROSENTHAL LLP

SONNENSCHN NATH & ROSENTHAL LLP  
P.O. Box 061080  
Wacker Drive Station  
Sears Tower  
Chicago, Illinois 60606-1080  
Telephone: (312) 876-8000

By: /G. Harley Blosser/  
G. Harley Blosser  
Registration No. 33,650

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE

# CERTIFICATE OF CORRECTION

PATENT NO : 7,120,486

DATED : October 10, 2006

INVENTOR(S) : Eric C. Leuthardt, Gerwin Schalk, Daniel W. Moran, Jonathan Rickel Wolpaw,  
Jeffrey G. Ojemann

It is certified that error appears in the above-identified patent and that said Letters  
Patent are hereby corrected as shown below:

ON THE FACE PAGE

(73) Assignee: Washington University, St. Louis, MO (US) should be

--Washington University, St. Louis, MO (US) and Health Research, Inc., Rensselaer, NY (US)--

MAILING ADDRESS OF SENDER: G. Harley Blosser  
SONNENSCHN NATH & ROSENTHAL LLP  
Customer No. 026263

PATENT NO. 7,120,486

No. of additional copies

1

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Date : December 30, 2006

Patent No. : 7,120,486 B2  
Inventor(s) : Leuthardt, et al.  
Issued : October 10, 2006  
Title : **BRAIN COMPUTER INTERFACE**  
Docket No. : 60005161-0061

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of 37 CFR 1.322 and/or 1.323.

Assignees' names and addresses (assignment data) printed in a patent are based *solely* on information supplied in the appropriate space for identifying the assignment data, i.e., item 3 of the Fee(s) Transmittal Form PTOL-85B. After payment of the issue fee, correction of assignment data submitted on the PTOL-85B can only be done by Certificate of Correction under 37 CFR 1.323, with a request under 37 CFR 3.81(b).

A request for a patent to be corrected to state the name of the assignee must:

- A. state that the assignment was submitted for recordation as set forth in 37 CFR 3.11 before issuance of the patent;
- B. include a request for a certificate of correction under 37 CFR 1.323 along with the fee set forth in 37 CFR 1.20(a); and
- C. include the processing fee set forth in 37 CFR 1.17(i).

If the request is granted, Certificates of Correction Branch will be notified that a Certificate of Correction may be issued.

See Manual of Patent Examining Procedure, Section 1481.01 (Rev. 3) (Oct. 2005).

**Applicant has not included items A and or C above, accordingly, the request for Certificate of Correction to add or change the assignee data is denied.**

Any request under 37 CFR 3.81(b) should be directed to the following address or facsimile number:

By mail: Mail Stop PETITIONS  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

RECEIVED

JAN 11 2007

4PB P.M.

By hand: Customer Service Window  
Mail Stop Petitions  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

By fax: 571-273-8300  
ATTN: Office of Petitions

If a fee (currently \$100) was previously submitted for consideration of a Request for Certificate of Correction, under CFR 1.323, to correct assignment data, no additional fee is required.

For Cecelia Newman  
Decisions & Certificates  
of Correction Branch  
(703) 308-9390 or (703) 308-

SONNENSCHN NATH & ROSENTHAL LLP  
P.O. BOX 061080  
WACKER DRIVE STATION, SEARS TOWER  
CHICAGO IL 60606-1080

CBN/eme

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 25, 2006

PTAS

**\*700266306A\***

TARA A. NEALEY, PH.D.  
SONNENSCHN NATH & ROSENTHAL LLP  
POST OFFICE BOX 061080  
WACKER DRIVE STATION, SEARS TOWER  
CHICAGO, ILLINOIS 60606-1080

**\*700266306A\***

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE  
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA  
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD  
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY  
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350.  
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,  
MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 05/23/2006

REEL/FRAME: 017671/0486  
NUMBER OF PAGES: 8

BRIEF: REQUEST FOR CORRECTION OF EXECUTION DATES FOR ASSIGNORS GERWIN  
SCHALK AND JONATHAN RICKEL WOLPAW AND ADDITION OF ASSIGNEE  
HEALTH RESEARCH INC. FOR ASSIGNMENT RECORDED AT REEL/FRAME  
014790/0270.

DOCKET NUMBER: 60005161-0061

ASSIGNOR:  
LEUTHARDT, ERIC C.

DOC DATE: 10/05/2004

ASSIGNOR:  
SCHALK, GERWIN

DOC DATE: 05/24/2004

ASSIGNOR:  
MORAN, DANIEL W.

DOC DATE: 06/14/2004

ASSIGNOR:  
WOLPAW, JONATHAN RICKEL

DOC DATE: 05/24/2004

P.O. Box 1450, Alexandria, Virginia 22313-1450 - www.USPTO.GOV

017671/0486 PAGE 2

## ASSIGNOR:

OJEMANN, JEFFREY G.

DOC DATE: 05/14/2004

## ASSIGNEE:

WASHINGTON UNIVERSITY  
ONE BROOKINGS DRIVE  
ST. LOUIS, MISSOURI 63130

## ASSIGNEE:

HEALTH RESEARCH INC.  
1 UNIVERSITY PLACE, SUITE 21  
RENSSELAER, NEW YORK 12144

SERIAL NUMBER: 10735474

FILING DATE: 12/12/2003

PATENT NUMBER:


ISSUE DATE:

TITLE: BRAIN COMPUTER INTERFACE

TARA WASHINGTON, EXAMINER  
ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

05/23/2006  
700266306

Docket No. 60005161-0061

Form PTO-1595 (Rev. 07/05) OMB No. 0651-0027 (exp. 6/30/2008)		RECORDATION FORM COVER SHEET PATENTS ONLY		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
To the Director of the U.S. Patents and Trademarks: Please record the attached documents or the new address(es) below.					
1. Name of conveying party(ies): Eric C. Leunhardt, Gerwin Schalk, Daniel W. Moran, Jonathan Rickel Wolpaw and Jeffrey G. Ofemann Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Washington University One Brookings Drive St. Louis, Missouri 63130  Health Research Inc. 1 University Place, Suite 21 Rensselaer, New York 12144  Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of conveyance/Execution Date(s): Execution Date(s) _____ <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Joint Research Agreement <input type="checkbox"/> Government Interest Assignment <input type="checkbox"/> Executive Order 9424, Confirmatory License <input checked="" type="checkbox"/> Other: Request for correction of execution dates for Assignors Gerwin Schalk and Jonathan Rickel Wolpaw and addition of Assignee Health Research Inc. for assignment recorded at Reel/Frame: 014790/0270					
4. Application patent number(s): <input type="checkbox"/> This document is being filed together with a new application. A. Patent Application No.(s) 10/735,474 B. Patent No.(s)  Additional numbers attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address to whom correspondence concerning document should be mailed:  Tara A. Nealey, Ph.D. Sonnenschein Nath & Rosenthal LLP Post Office Box 061080 Wacker Drive Station Sears Tower Chicago, Illinois 60606-1080 (314) 259-5867 main (314) 259-5959 facsimile tnealey@sonnenschein.com		6. Total number of applications and patents involved: <u>1</u>  7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00 <input checked="" type="checkbox"/> Credit card payment form (AMEX) attached <input checked="" type="checkbox"/> Additional fees can be charged to deposit account 19-3140 <input type="checkbox"/> None required (government interest not affecting title)  8. Payment Information a. Credit Card Last 4 Numbers <u>4946</u> Expiration Date <u>07-06</u>			
9. Signature:  Tara A. Nealey, Ph.D. Name of Person Signing  Signature <u>5/23/2006</u> Date					
Total number of pages including cover sheet, attachments, and documents: <u>11</u>					

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22311-1450

UP \$40.00 10735474





CORRECTED  
NOTICE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 07, 2004

PTAS

SONNENSCHN NATH & ROSENTHAL  
TARA A. NEALEY  
POST OFFICE BOX 061080  
WACKER DRIVE STATION, SEARS TOWER  
CHICAGO, IL 60606-1080

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/28/2004

REEL/FRAME: 014790/0270  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

LEUTHARDT, ERIC C.

DOC DATE: 05/10/2004

ASSIGNOR:

SCHALK, GERWIN

DOC DATE: 05/24/2004

ASSIGNOR:

MORAN, DANIEL W.

DOC DATE: 06/14/2004

ASSIGNOR:

WOLPAW, JONATHAN RICKEL

DOC DATE: 05/24/2004

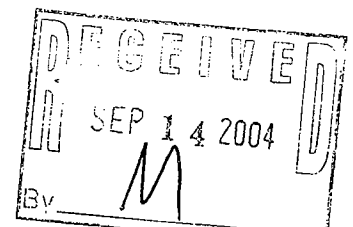
ASSIGNOR:

OJEMANN, JEFFREY G.

DOC DATE: 05/14/2004

RECEIVED 9/14/04 DOCKET  
DOCKETED assignment  
DIARIED 9/15/04  
BY: 5m

P.O. Box 1450, Alexandria, Virginia 22313-1450 - www.USPTO.GOV



ASSIGNEE:

WASHINGTON UNIVERSITY  
ONE BROOKINGS DRIVE  
ST. LOUIS, MISSOURI 63130

SERIAL NUMBER: 10735474

PATENT NUMBER:

TITLE: BRAIN COMPUTER INTERFACE

FILING DATE: 12/12/2003

ISSUE DATE:

DOROTHY WILLIAMS, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS